

Statement of Chairman Charles E. Schumer -- Rules Committee Hearing
May 5, 2010
Vote-By-Mail Programs-- Exploring Progress and Problems

The Rules Committee shall come to order. Good Morning. I would like to thank my friend, Senator Roberts, for joining me at this hearing. Ranking Member Bennett is unable to attend this morning. I'd also like to welcome Senator Ron Wyden of Oregon and Congresswoman Susan Davis of California, two strong advocates of voting by mail.

I've had the opportunity to work with Senator Wyden on many occasions and most recently on the DISCLOSE Act. I can say that there is no truer champion of reform than Senator Wyden. Additionally, he is a champion of all Oregon constituents. I can personally attest to Oregon being first and foremost in his mind when he is legislating here in the Senate. The Committee is honored to have him here today and look forward to his insight, experience, and first-hand knowledge of all election law issues.

This morning the Committee will examine Vote-by-Mail systems and programs used by states for federal elections. Vote-by-mail is no longer a rare exception. Today, many voters throughout the country exercise their constitutional right to vote by mailing in their ballot.

The most well-known vote-by-mail state is Oregon, which is the only state that conducts all elections entirely through its Vote-by-Mail system. Washington State is a close second. It conducts all elections in 38 of 39 counties by mail. Meanwhile, Colorado voters cast ballots by mail at a 64% rate and California voters by 44% in the 2008 federal elections. Some of those states are represented by Members on the Rules Committee - Senator Feinstein is from California and Senator Murray is from Washington State.

But what do we actually mean when we talk about "vote by mail"? There are two different ideas we'll be discussing today. First is what many call the "Oregon model." In this model, a state does not have polling places and its election is conducted *solely* by mail.

The second is what is called "no-excuse absentee balloting" or "universal vote-by-mail." In this system, polling places still exist as much as they do in any other state. Voters, however, can choose to vote absentee and by mail without any reason whatsoever.

I'm happy that my own state of New York just decided to adopt this model of no-excuse absentee balloting. New York joins at least 29 other states that offer "no excuse" absentee voting and 4 states that provide "permanent no excuse" absentee voting.

Finally, today we will discuss how to give voters the tools to track their ballots once sent. If people can track a package to see when it arrives, surely the technology is there to track a ballot. This is an issue that I have had some experience working on.

With the help of Senators Bennett, Chambliss, Nelson and others, the Senate passed the *Military and Overseas Voter Empowerment Act* (“MOVE Act”) as part of the *National Defense Authorization* legislation last year. This law ensures that all states permit military and overseas citizens, and their dependents, can register and vote by absentee ballot. One of the important aspects of that law, which passed with Congresswoman Davis’s strong support in the House, is that it requires election jurisdictions to provide to all military and overseas voters free access to notification that their voted ballots have been received by their local Board of Elections.

Congresswoman Davis has her own bill, which passed the House on the Suspension Calendar, HR 2510, which is aimed at providing that same free access to notification to all absentee voters in the country. I look forward to learning more about this particular proposal as well.

I believe all of these reforms to be sensible, secure, and the right thing to provide voters. Vote-by-Mail elections will help all eligible voters to register and vote in federal elections. This would include disabled voters and their caretakers, Americans holding down two jobs who cannot get away to vote, and just about anyone who cannot get to the polls but wants to exercise their Constitutional right.

Today, we’re lucky to hear from state and local election officials who can relate their experiences with these programs. They have been “on the ground” in the areas of policy, law, legislation, and implementation of Vote-by-Mail programs, and we all can benefit from their hands-on experience.

Before we return to our Member panel, I ask my good friend, Senator Roberts, if he would like to say a few words.